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APPROVED BY EA:DCOLEMAN
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FM SECSTATE WASHDC
TO AMEMBASSY SEOUL IMMEDIATE
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UNCLAS STATE 248362
CINCPAC ALSO FOR POLAD; PORT MORESBY FOR HOLBROOKE
E.O. 12065: N/A
TAGS: SCRM, KS, CE, JA
SUBJECT: NOON PRESS BRIEFING OF 9/17/80
1. CHINA -- AT THE START OF THE BRIEFING, TRATTNER ANNOUNCED THAT THE PRESIDENT WOULD SIGN THE CIVIL AIR, TEXTILE, MARITIME, AND CONSULAR AGREEMENTS AT 2:30 PM TODAY, THAT TEXTS OF THE AGREEMENTS (EMBARGOED UNTIL THAT TIME) WOULD BE AVAILABLE IN THE PRESS OFFICE, AND THAT BACKGROUND BRIEFINGS WOULD BE HELD TODAY HERE, AT STR, AND AT DOT.
2. KOREA -- IMMEDIATELY THEREAFTER, UPI'S ANDERSON ASKED IF THERE WERE AN AGREEMENT BETWEEN THE US AND ROK THAT KIM DAE JUNG'S DEATH SENTENCE WOULD BE COMMUTED. TRATTNER RESPONDED THAT HE WOULD HAVE NO COMMENT ON THE KIM DAE JUNG

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CASE BEYOND THE STATEMENT ISSUED EARLIER IN THE SECRETARY'S NAME. HOWEVER, HE DID DENY THAT SUCH AN ARRANGEMENT EXISTS. HE AIDED THAT, AS THE STATEMENT INDICATED, WE HAVE MADE OUR CONCERNS WELL KNOWN TO THE ROKG AND THAT THERE IS A FULL AND CONTINUING DIALOGUE.
AP'S SCHWEID ASKED WHY THE CARTER ADMINISTRATION HAS NO FURTHER COMMENT -- IS IT CONFIDENT IN SOUTH KOREA'S JUDICIAL APPEAL PROCESS OR IS THERE "A FIX IN?" TRATTNER REFERRED HIM TO THE SECRETARY'S STATEMENT FOR THE REASON.
REUTER'S GUTMAN ASKED ABOUT THE JUDICIAL PROCESS. TRATTNER READ A PORTION OF THE GUIDANCE CONCERNING THE KOREAN JUDICIAL PROCESS, BUT CAUTIONED THAT HE COULD NOT SPEAK DEFINITIVELY ON THE SOUTH KOREAN JUDICIAL PROCESS. HE SAID HE WAS ONLY GIVING OUR UNDERSTANDING OF IT, SUBJECT TO CORRECTION.
NYT'S GWERTZMAN SAID TRATTNER WAS LEAVING THE IMPRESSION THAT WE REGARD THE COURT PROCESS THERE AS A FAIR AND JUDICIAL ONE. TRATTNER REPLIED THAT HE DID NOT WANT TO

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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY HT DATE 9/10/92
RDS ☐ or XDS ☐ EXT. DATE
TS AUTH. REASON (S)
ENDORSE EXISTING MARKINGS ☐
DECLASSIFIED ☐ RELEASABLE ☒
RELEASE DENIED ☐
PA or FOI EXEMPTIONS

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LEAVE ANY IMPRESSION -- POSITIVE OR NEGATIVE, FAVORABLE OR UNFAVORABLE.

GALBRAITH THEN ASKED IF THE SECRETARY'S STATEMENT MEANT THAT WE WOULD HAVE NO FURTHER COMMENTS UNTIL THE END OF THE APPEAL PROCESS, WHICH, HE POINTED OUT, COULD TAKE MONTHS. "NO, I WOULDN'T ASSUME THAT." TRATTNER ANSWERED. BECAUSE THE CASE IS SUBJECT TO JUDICIAL REVIEW AND BECAUSE WE HAVE MADE THE ROKG FULLY AWARE OF OUR VIEWS, "WE DON'T THINK ANY FURTHER COMMENT IS NECESSARY AT THIS TIME.

B. KALB (NBC) WANTED TO KNOW WHY THE US WAS UNWILLING TO

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GO ON THE RECORD AS CALLING FOR COMMUTATION OF KIM'S SENTENCE. TRATTNER AGAIN REFERRED TO THE PORTION OF THE STATEMENT CONCERNING JUDICIAL REVIEW.

SCHNEID THEN JOINED IN AND ASKED WHY, IF WE HAVE TOLD THE KOREANS OUR VIEWS, WE CANNOT TELL EVERYONE ELSE -- WE OBVIOUSLY ARE NOT SO CONCERNED ABOUT KEEPING THE JUDICIAL PROCESS "STERILIZED" THAT WE WILL NOT TALK TO THE KOREANS ABOUT IT. TRATTNER QUOTED THE PORTION OF THE STATEMENT CONCERNING OUR "STRONG FEELINGS ABOUT THE EXTREME VERDICT," SAYING IT SPOKE FOR ITSELF AND EXPLAINED WHY WE ARE MAKING NO FURTHER COMMENT AT THIS TIME.

TRATTNER AFFIRMED, IN RESPONSE TO ANDERSON'S QUESTION, THAT THE US STILL REGARDS THE CHARGES AGAINST KIM AS 'FAR-FETCHED."

SCHNEID ASKED IF WE WERE CONFIDENT KIM'S HUMAN RIGHTS WOULD BE PROTECTED UNDER THE APPEAL PROCESS. TRATTNER SAID HE WOULD NOT EXPRESS AN OPINION ON THAT.

TRATTNER WAS ASKED IF IT WERE TRUE THAT THE ADMINISTRATION SENT A REQUEST TO THE HILL THIS WEEK FOR $88 MILLION IN MILITARY SPARE PARTS FOR SOUTH KOREA. HE TOOK THE QUESTION.

SCHNEID ASKED WHETHER THE CONTACT WITH SOUTH KOREA ON THIS MATTER HAS BEEN AT THE DIPLOMATIC LEVEL OR WHETHER THE PRESIDENT HAS STEPPED IN. TRATTNER SUGGESTED SCHNEID ASK THE WHITE HOUSE BUT ADDED THAT HE DID NOT THINK THE PRESIDENT HAS DONE SO AND THAT CONTACTS HAVE BEEN AT THE DIPLOMATIC LEVEL.

KALB AGAIN ASKED WHY WE WOULD NOT SAY PUBLICLY WHAT WE HAVE SAID TO SOUTH KOREA PRIVATELY. TRATTNER RESPONDED

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THAT SOME OF WHAT IS BEING SAID PRIVATELY HAS BEEN SAID PUBLICLY. BUT AT THIS TIME WE DO NOT FEEL IT "PROPER AND NECESSARY" -- BECAUSE OF THE JUDICIAL REVIEW AND BECAUSE WE HAVE MADE OUR VIEWS COMPLETELY CLEAR MANY TIMES -- TO OFFER FURTHER COMMENT.

CHO (HANKUK ILBO) ASKED IF WE HAD CONSULTED WITH THE

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JAPANESE GOVERNMENT ON THIS. FORMALLY OR INFORMALLY, AND WHETHER WE PLAN ANY FURTHER CONSULTATIONS. TRATTNER SAID HE THOUGHT WE HAD HAD DISCUSSIONS WITH SEVERAL GOVERNMENTS AS THE TRIAL PROGRESSED. HE ADDED THAT HE WAS NOT AWARE THAT WE HAVE HAD DISCUSSIONS WITH THE JAPANESE SINCE THE VERDICT WAS ISSUED, BUT THAT IT WAS LIKELY THAT WE WOULD BE IN TOUCH WITH SEVERAL GOVERNMENTS AS THE CASE PROCEEDS. KALB ASKED IF THE CONTINUED PRESENCE OF US TROOPS IN SOUTH KOREA IS LINKED TO THE CASE IN ANY WAY. TRATTNER REPLIED THAT HE WOULD NOT WANT TO SPECULATE ON THAT BUT THAT HE ALSO WOULD NOT WANT TO LEAD KALB TO THINK THAT THAT WAS AN ISSUE.

MUSKIE

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